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| MANUAL: JJ7 700, Juvenile Justice Assignment Unit Placement Process (July 1, 2014) | JOB AID |
| SUBJECT: Juvenile Justice Field Policy Job Aid-JJAU Key Statements and FAQ | <p>New Issue</p> <p>X Partial Revision</p> <p>Complete Revision</p> |
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Purpose. To provide a job aid to support revision to DHS policy JJ7 700 including key concepts and Frequently Asked Questions (FAQ).

Key Concepts.

The court speaks by its written word. This word is a written and signed court order that must be physically held by DHS for DHS to take action. Court orders that are said to be in the mail or otherwise promised are considered non-existent until they can be read for required actions.

A court order that directs the youth to a placement retains the youth in that placement unless the order has an end date or cancelling feature. For example, if a court orders a youth into detention, the youth must remain in detention until the court orders the youth elsewhere or directs an organization (JJAU/DHS) to refer the youth elsewhere.

A placement referred by JJAU/DHS and accepted by a provider is considered valid and firm unless DHS provides notice otherwise, the facility provides a 30 day termination letter, or a court orders another placement.

The JJAU does involve itself with placement of delinquent wards committed to or referred to DHS including dual wards.

The JJAU does not involve itself with independent living placements; consult local resources.

The JJAU does involve itself with placements of dual wards.

Risk assessments and strengths and needs assessments must be entered in JJOLT.

Risk level plus offense yields security level in JJOLT (secure or non-secure).

Agencies offer placements at security levels and provide services to match with the youth and his/family based on their facility placement grid. Some agencies cover both security levels, some do not.

Structured Decision Making, “Privates First” Legislation, and court orders directing placement form the core of placement rationale.

There are three components to a referral (documents should be completed in or scanned into JJOLT to the maximum extent feasible:

- Core documents (risk assessments, strengths/needs assessments, service plans). These are completed in JJOLT by the caseworker.
- Court documents (adjudications and disposition/comment orders, orders for detention).
- Supporting documents.

The three components of a referral are like a car:

- Court documents. Like the engine, transmission, and wheels (provide authority to move).
- Core documents. Like the gas pedal and steering wheel (control direction and speed to move).
- Supporting documents. Like the frame, seats, heating and air (basic support and comfort while moving).

Court-ordered and referred placements can impact title IV-E funding. Any time a court considers directing a juvenile justice placement by name in a court order it places title IV-E status in question (such as a yellow caution light). A court order ordering a placement (“The youth is ordered to placement X.”) blocks title IV-E (IV-E is red). A court order recommending a placement (“The youth is recommended to be placed at placement Y.”) normally supports title IV-E (IV-E is green). If in doubt, the worker must immediately contact their Child Welfare Funding Specialist and take prompt action if the order is considered problematic (see also Federal Compliance Division staff in DHS).

Unless there is a complete set of strengths and needs domain scores in JJOLT for the youth in question, JJOLT will not electronically function to produce a referral (even if a court order directs youth to a named placement).

There is no intent in placement practice to produce a balanced or equivalent number of referrals or placements among private agencies or facilities; the so-called “rotation does not exist. The intent is to provide a consistent, objective referral process that serves children and their families. Placements may not always report vacancies. This and the nature of the youth and the order of their referral may result in some placements receiving more referrals than others for a given time period.

Frequently Asked Questions (FAQ) for the Juvenile Justice Assignment Unit (JJAU)

What does the JJAU do?

The JJAU coordinates residential placements in Michigan for youth referred or committed to DHS by Michigan courts. JJAU makes use of referral packages and Structured Decision-Making (SDM) methodology required by DHS policy to evaluate youth needs and matching between the youth's needs and provider capabilities. The key to this function is the knowledge and experience held by the caseworker in the field and JJAU staff as well as the SDM and placement assignment methodology in Juvenile Justice Online Technology (JJOLT). The JJAU may be used to make referrals to Michigan placement to demonstrate exhaustion of Michigan options necessary for placement under ICPC; see DHS policy ICM 140.

What does the JJAU not do?

The JJAU does not make referrals to Independent Living placements or to placements managed by the Interstate Compact Office within DHS.

What is "Privates First" legislation?

This is legislation contained in MCL 400.115o; this law affects how juvenile justice placement referrals are accomplished by DHS. When any state residential facility and any private contracted residential facility at the same security level both have vacancies for a juvenile justice residential placement referral, the law requires all contracted private agency providers to be offered the referral first before the referral can be offered to any state facilities. When asked about placement options, the caseworker is required to include in their response that placement with DHS-contracted private providers has priority over state placements.

How do I update my youth's offenses in JJOLT? How do I know what the committing offense is?

Offenses in JJOLT are updated from the Offense History screen in JJOLT and are based on contents of a complete set of court orders for the youth. The committing offense is normally the adjudicated/convicted offense associated with the court disposition that commits the youth to DHS under 1974 PA 150 as a state delinquent ward.

A youth committed an offense but I cannot find the DHS Offense Code; what should I do?

Look in DHS policy JJ3 300. If no success, contact the JJAU. Otherwise, use code 326, other felony and override the security level if needed.

I have a funding question associated with my youth. Who do I call?

Contact your county office Child Welfare Funding Specialist.

What does the JJAU do when a court recommends or orders placement in a state facility and “Privates First” requirements are active?

The order of the court is given priority and followed. That is, the order of the court trumps “Privates First.”

What is placement and replacement?

Placement is the initial positioning of the youth in a juvenile justice residential placement. Each placement after that is a replacement.

How does Structured Decision Making (SDM) work?

SDM is Structured Decision Making. SDM is the normal default method of referring juvenile justice youth for placement. It involves objectively and consistently using JJOLT to set security level based on risk assessment and offense and then using the strengths/needs assessment to determine the top ranked placement with at least one vacancy. Because of the “Privates First” legislation, if SDM says a state facility is preferred over a private contracted facility, “Private First” takes precedence.

How long will it take to get my youth placed?

Placement time depends on several factors. Each provider is given five days to review a JJAU referral; often the provider will accept the youth in two or three days. If a referral is rejected, the next provider and so forth is given five days to review. Attempting to de-escalate a youth who still displays impulsive or violent behavior will normally result in multiple rejections and placement delays. The caseworker should always monitor placement effectiveness and plan ahead for placement changes.

How can I monitor my youth’s case in JJOLT?

JJOLT will provide demographic information, court history, offense history, and risk and strengths and needs assessments in addition to the service plan you create and the treatment plans created by residential facilities. JJOLT will also allow you to review the incident report history of the youth based on a date range that you provide.

JJAU receives court orders that recommend placement and orders that order placement; is there any difference?

JJAU processes the orders the same way. An order that orders a placement normally blocks title IV-E funding for that placement; orders recommending placement normally retain title IV-E eligibility.

What is the difference between a court-ordered placement and a court-recommended placement?

The difference is the wording in the court order. Court-recommended placements generally retain title IV-E eligibility. Court-ordered placements normally are not title IV-E reimbursable. Ensure your Child Welfare Funding Specialist is involved in all placement decisions including funding source.

The answer below is mainly for scenarios where treatment follows a detention placement at Bay Pines and Shawono; if this occurs at another facility with both detention and treatment, contact the JJAU. Scenario: My youth was in detention and the court said it wanted treatment so the facility staff moved him into the co-located treatment program. Is this a problem?

The court speaks by its written word (hard copy signed court order). This scenario may pose a problem unless the court recommends/orders placement at Bay Pines or Shawono. Once a youth is removed from detention, “Privates First” applies unless the court has ordered the youth to the treatment facility. Even with a court order, unless this is a direct placement, the referral must go through the JJAU. The JJAU will honor the court order in making the referral.

The court ordered the youth into a placement and then committed the youth to DHS. What do I do?

Collect all relevant court orders and complete the JJ ISP in JJOLT. Determine the acceptance date in JJOLT, contact the JJAU, and make a referral.

I know a placement perfect for my youth and the court agrees; what do I do?

Normally, SDM is required by policy for use in making placement recommendations. If you have compelling justification and your county management approves, contact the JJAU.

The judge, Guardian Ad Litem, youth, parents and I all agree verbally at the hearing to recommend placement at Joe’s Joint for Juveniles. I have experienced good results with this placement and it will support the family’s interest in visitation. The facility is IV-E eligible. I make a referral package, JJAU refers pending the court order and Joe’s Joint accepts. May I place?

The absence of a court order means that there is no authority to place in this situation; thus wait for the court.

I often feel unprepared when going to court because I am not familiar with placement options. When I get asked by my judge, I really have to think on my feet and “give it my best shot”. Is there some better way?

Ensure your risk assessment and strengths/needs assessment is current. Contact the JJAU and request placement options.

Does JJAU have a recommended way to arrange court orders for use and ease of reference?

No, however, arranging all delinquency court orders in chronological order (or reverse chronological order) is normally appropriate.

I attended the hearing where the youth was court recommended to go to Placement A. JJAU referred to A pending the court order and JJAU has reported that A has accepted the youth. I am driving close-by to placement A tomorrow and could transport the youth there while I am travelling. Can I do this?

No. The court speaks by the written word. The written word is a signed court order that you can see, read and hopefully touch. Relying on a court order to show up in the future is not authorized. You may place only after you have a court order that you can read and that tells you to place. If a Placement Exception Request is operative, you must have that document approved prior to placement as well.

SDM says best placement is facility X. Court wants facility Y. How can this be resolved?

The county management makes the decision as to X or Y as long as Y is backed up by a court order to facility Y. Normally, county managements in the past have deferred to the court but this is based on past practice only.

My youth's family really is involved with treatment and youth support and wants to be nearby to visit the youth in placement. The court is also strongly supportive. SDM places the youth 250 miles away presenting a hardship. What can I do?

Involve your management. If the placement location is deemed of paramount importance, the caseworker can seek a court order that will effectively override the SDM placement which is causing a hardship.

I was told that JJAU will write my Placement Exception Requests (PER) and extensions. Is this true?

This is false; the worker in the county office writes all exception requests and extensions. The JJAU may use these to write required JJAU documents but the PER process starts with the county caseworker.

I have not started my ISP but will go to court in three days and need to know the SDM-preferred placements to brief the judge.

In this case, the worker should finish the JJ ISP in JJOLT and contact the JJAU by phone to request they look at preferred placements. The conversation with the JJAU should normally take less than 30 minutes.

My youth was released at 17 and a half years of age, but has just run away from his aunt's house. He is now 18 years and three months old and has been found. His judge wants him returned to the state facility where he used to be. Is this possible?

Unless a youth is a dual ward, he cannot normally return to a child caring institution; contact the JJAU if you have this situation.

I have a youth in a placement and no idea how he/she got there. What do I do?

Collect all court orders and contact the JJAU. Speak with the probation officer.

Under what circumstances can a youth be placed in residential treatment at a state facility without a court order?

Such circumstances are rare; "Privates First" legislation would require that all private agencies have received the referral and declined placement for this to happen.

I received a new delinquency case. The order is date stamped 21 November, the hearing date was 2 November, and the judge signed the order committing the youth to DHS on 8 November. It is now the day before Thanksgiving. What is the delinquency acceptance date?

The acceptance date is the date the order was signed by the judge. This sets the first date where DHS is responsible for the delinquency case. This date is 8 November.

A youth is adjudicated for truancy from school. The court orders Wolverine Secure Treatment Center. Truancy is the only adjudication. Does this present a problem?

Yes, this is a problem. Truancy is a status offense, an offense which would not be a crime if committed by an adult. Status offenders, who have not violated probation or committed other non-status offense crimes, are not allowed to be placed in secure facilities. Contact the JJAU and Children's Legal Services (DHS) providing them with a copy of the court order. A youth with only a truancy adjudication may be referred to a non-secure facility, but cannot be placed in a secure facility.

A facility that was licensed is reviewed by BCAL and issued a numbered provisional license last week. I have three youth who are IV-E funded at the facility. Is there anything I need to do?

Numbered provisional licenses are given to facilities that do not meet requirements; under a numbered provisional license, title IV-E funding is unpayable. Contact JJAU to have the youth referred to another placement.

I have a youth who is court-ordered to detention; I want to have the youth placed elsewhere after detention. What do I need to do?

Submit the referral to the JJAU; a court order will be needed to allow the JJAU to refer after the court ordered detention.

My youth is in detention and the detention order does not specify when it ends; there is a facility with a desirable treatment plan nearby. Can I move the youth there when the court says detention is over?

Probably not. An order to detention by a court freezes the youth in detention unless the order directs detention to be over or the court issues a new order authorizing the end of detention. Any referral to a treatment program must go through JJAU.

My youth is in detention; how do I get him placed somewhere else?

The youth was ordered to detention; therefore, contact the court and seek a court order that allows JJAU to refer for placement. This order may also direct the JJAU to refer the youth to a specific type of placement (for example, sex offender) or to a placement by name.

How should I be scoring the youth on my Strengths/Needs Assessment? Why?

Score the youth as completely and accurately as possible including numerical domain scores and characteristics. If you score the youth as more challenging than actual, you will risk eliminating some providers. If you score the youth as less challenging than actual, you will risk including too many providers. Ensure all applicable checkboxes are checked, but only those that are applicable. Ensure your narrative matches the checkboxes checked. For example, if your text says the youth has asthma and is pregnant, check those checkboxes.

Which risk assessment should I complete for my youth?

If the youth is currently in the community, use the community-based risk assessment in JJOLT. If the youth is in a residential placement, use the shorter residential risk instrument in JJOLT.

The judge orders my youth de-escalated and placed in a non-secure facility. When I look in JJOLT the risk assessment is still producing a security level of SECURE. What should I do?

If the youth is in a residential placement, use the shorter risk instrument in JJOLT. Note that the JJAU cannot advise you on non-secure placements if security is set at secure.

I need to override a risk assessment to get to the correct security level; where do I find override codes for a risk assessment?

These are found in DHS policy JJ2 230.

I have an MJJAS risk assessment; will it work for a risk assessment to determine placement security level for the youth?

Any appropriate juvenile justice risk assessment that provides an accurate adjectival score of high, moderate, or low and whose administration and purpose is consistent with the assessment's operation instructions can be used. The caseworker may choose to override the resulting security level based on override criteria in JJ2 230.

I have a CAFAS assessment from a foster care placement and need a juvenile justice placement; will it work for referral?

No, the user should complete the risk assessment for juvenile justice in JJOLT.

I have a FANS/CANS from foster care; can I use it instead of a JJ assessment?

No, the user should complete the strengths/needs assessment in JJOLT. For the ISP, this assessment is integral to the ISP.

I am having problems with the appearance or lack of appearance of domain for education; JJAU says there is no score for D5. What can I do?

D5 is the Education Domain in the Strengths and Needs Assessment. You must complete the D5 including the score. Ensure the date of your D5 is in the date range of your D5. If the date of the D5 is outside the date range, D5 errors will result.

I cannot get my youth to show up in JJOLT, what do I do?

Contact the JJOLT Help Desk. The numbers are (517) 335-3537 from 0700-0530 Monday-Friday, 517-282-1890 after hours.

My youth is adjudicated for CSC-2 as a sex offender and needs sex offender treatment. I know of sex offender programs offered by private agencies. When I refer to JJAU, SDM recommends the first two programs which are not known for sex offender treatment. What do I do?

Contact the JJAU. SDM weights the sexuality domain, D7, the same as other domains. JJAU can look at options and will likely recommend you pursue a court recommendation or order to obtain an appropriate placement.

I have a dual ward, what types of foster care case information are relevant for JJ referral?

Relevant information includes the youth's offenses, previous placement history, court orders, risk, strengths/needs, and funding source. Barring court directions to specific placement, SDM for placement is based on offense, risk, and strengths/needs. Foster care service plans including parent/agency treatment plans may provide history, but have little or no impact on placement.

For my dual ward, do I really need to write foster care and juvenile service plans; can't I just write one or the other?

No, both service plan types must be completed. Both FOM and JJ policies are in force.

Where do I go to find provider codes and per diem rates for various placements?

Consult the linked document at the end of DHS policy FOM 905-5.

My JJAU referral documents are about three inches thick and really bogging down my FAX; what do I do?

Thick referrals can be an indication of excessive and extraneous documentation and not using JJOLT. Referral information must be entered into JJOLT to the maximum extent feasible. As a rule of thumb, a typical juvenile justice referral should require less than 50 pages or about half an inch of paper. Review what is required in terms of court documents, documents entered in JJOLT, and supporting documents. If relevant, historical documents can be summarized in a brief 1-2 page document. The JJAU will ask for more documents if more background is needed. Much documentation should also be present in MiSACWIS.

I need to know what treatment facility options there are but have no ISP and no strengths/needs assessment. Can you help me?

The best way to get help is to ensure the youth's offenses are entered in JJOLT along with a current risk assessment and strengths/needs assessment. Offenses are compared in JJOLT with risk to produce a security level. JJOLT then provides a menu of providers based on the security level and then prioritizes those providers based on match between the provider and the strengths/needs you provide.

The placement is not effective or the youth's behavior appears to be beyond the capability of the facility. What is a 30 day letter?

A 30 day letter is issued by the provider after all other actions to resolve treatment program progress and behaviors have been exhausted or are no longer practical. It requests or directs DHS to remove the youth from the placement. A 30 day letter signals that the placement is or has become unsuccessful and a new placement must be sought. The worker should contact the JJAU to seek a new placement, notify the court if the court directed the placement, and send copies of the 30 day letter to the JJAU and BCAL.

My youth was placed in a non-secure program and the program has issued a 30 day letter to move the youth somewhere else because the program is not working. I believe escalation to a secure program is needed. What do I do?

Provide JJAU and BCAL a copy of the 30 day letter, request an escalation hearing from your court, and complete a residential risk assessment in JJOLT to increase security level to secure. Contact your Child Welfare Funding Specialist and confirm new planned funding source. Contact JJAU to discuss and provide any other needed documents.

My youth escaped but has been apprehended; can he go back where he was? Do I need to contact JJAU?

The youth may return to the placement if he/she has not been gone longer than five business days and all parties agree to the return. Otherwise, coordinate re-placement with the JJAU.

The current placement has multiple facility/programs at different security levels on the same campus; the agency wants to move my youth to a different program at the campus. Can they do that?

No, agencies cannot move youth within their agency or campus when such a move causes a change in rate, security level, or program type. Contact JJAU for a replacement. If a PER is operative, a new PER will normally be required for the new program.

If a youth moves from one program to another on the same campus and I had to write a PER for the first placement, do I have to write another?

Unless you have a written document/email from BCAL that waives the requirement; complete a new PER, even for a new program on the same campus. A PER for a program on the same campus with a different rate or security level is mandatory.

My youth lives above the bridge (Straits of Mackinaw). Will he be placed below the bridge? What if I want below bridge placements considered?

Normally placement will be maintained on the same side of the bridge as the youth's home. The worker and/or the court may request/direct placement across the bridge.

Do I need to contact JJAU as a foster care worker to place my foster care ward in a JJ placement?

In the case of a youth who is only a foster care ward, contact the facility and BCAL to coordinate placement and exception request.

How do I know when to complete a Placement Exception Request?

Use the following guidelines or contact BCAL:

- Dual ward.
- Using a non-contract placement.
- Outside facility age limits.
- Outside facility population limits.
- Foster care youth in JJ facility.
- JJ youth in foster care facility.

When in doubt, contact BCAL.

My youth has an open abuse/neglect case and is in a residential placement and is then adjudicated for a felony and made a DHS delinquent ward. What do I do?

Contact JJAU, a JJ referral is likely to be necessary.

I have a youth on probation from a Michigan county court. The youth is living with his parents in Michigan. The parents are moving to Missouri for a new job, the youth is 16 and the courts want the youth supervised on probation by Missouri while the youth lives in Missouri with the parents. Can JJAU help?

Complete and submit a referral for placement under the Interstate Compact for Juveniles (ICJ). See DHS policy ICM 150.

I believe an out of state placement provides the best treatment option for my youth. Can JJAU help?

If the youth is on Michigan probation and is to be supervised by another state (receiving state) while living there, submit a referral for an Interstate Compact for Juveniles (ICJ) placement per DHS policy ICM 150. If the youth requires a residential institutional placement, see DHS policy ICM 140 for a placement under the provisions of the Interstate Compact for the Placement of Children (ICPC).

I have a youth who is title IV-E eligible but the court wants a secure program, what do I do?

In almost all cases, secure programs are not title IV-E reimbursable. Contact the JJAU for further information.

JJAU has referred my youth to a contracted private provider per SDM. The provider has accepted. The youth is a dual ward. What do I need in order to place the youth?

The caseworker needs a DHS-396 Placement Exception Request that is approved by BCAL.

Where can I find how much a placement will cost (per diem rate)?

Private placement rates are found in the addendum link at the back of DHS policy FOM 905-5.

What if I find out about a new placement that really appears to present a treatment opportunity for my youth. My court is familiar with the program and wants to order the youth to treatment there. Can we do it?

Contact the JJAU; a court order recommending placement will likely be necessary.

My youth was adjudicated for incorrigibility. The judge plans to order the youth to a secure facility. Can this happen?

The court can order it but this should be the subject of immediate action as the order directs a status offender to secure placement and is thus problematic. Have your management immediately contact DHS Children's Legal Services and provide them with a copy of the court order.